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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SOPHAL BUY, DANIEL DIXON, AND
MICHELE SIMPSON,

Plaintiffs,

v.

HMSHOST CORPORATION AND HOST
INTERNATIONAL, INC.,

Defendants.

Case No.: 2:15-cv-00628-JAD-VCF

**JOINT MOTION TO RESET CASE
MANAGEMENT CONFERENCE AND
TO PERMIT NONRESIDENT
COUNSEL TO PARTICIPATE BY
TELEPHONE**

The parties hereby jointly move this Court to reset the Case Management Conference currently set for October 23, 2015 to October 30, 2015 and to permit nonresident counsel to participate by telephone.

This is an action under the Fair Labor Standards Act, 29 U.S.C. sections 201 *et seq.* The three plaintiffs were opt-ins in a putative collective action before the Eastern District of New York captioned *Stevens v. HMSHost Corporation*, Case No. 10-CV-3571, that was ultimately decertified. One of the three plaintiffs in this case was deposed as part of the prior case.

1 The Court initially set a case management conference in this action for October 20, 2015 and
2 the parties were set to attend. Due to a schedule conflict that arose, however, the Court reset the
3 conference to October 23, 2015, a date that conflicted with other matters on the calendars for
4 attorneys for both sides. After conferring, counsel have determined that they are all available on
5 October 30, 2015.

6 In addition, although both sides have retained local counsel, the attorneys with the greatest
7 knowledge of this dispute are those who worked on the decertified *Stevens* matter. On October 30,
8 they will be either in New York, Texas, or Ohio. Local counsel will attend the conference personally,
9 but because of the travel involved the parties respectfully request that their nonresident lead
10 attorneys be permitted to participate by telephone.

11 This motion is not be interposed for purposes of delay. Indeed, the parties are working
12 steadily and diligently on several cases involving former *Stevens* opt-in plaintiffs, including both
13 hearings and depositions in the fall of 2015 and are continuing to share information through the
14 discovery process.

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For all of these reasons, the parties respectfully request that the court reset the Case Management Conference to October 30, 2015 and that it grant leave for outside counsel to participate by telephone with the in-person presence of local counsel.

Dated: October 16, 2015

Respectfully submitted,

/s/ Michael Reed

Michael Reed
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Attorneys for Plaintiffs

Attorney for Defendants

IT IS HEREBY ORDERED that the hearing scheduled for October 23, 2015 is VACATED and RESCHEDULED to 11:30 a.m., October 30, 2015, in courtroom TBD. Michael Reed, Esq. and Gregory V. Mersol may participate by telephone at the hearing on October 30, 2015. They are instructed to call telephone number: (702) 868-4911, access code: 123456, 5 minutes prior to the hearing time. The court will join the call and convene the proceedings. The call must be made on a land line. The use of a cell phone or speaker phone during the proceedings is prohibited.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE
DATED: 10-20-2015

CERTIFICATE OF SERVICE

This is to certify that on October 20, 2015, a true and correct copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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Dana Sniegocki, Esq.
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/s/ Gregory V. Mersol
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